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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,486	02/18/2004	William D. McKay	RBD-114-A	3121

22440 7590 10/18/2005

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EXAMINER
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NORDMEYER, PATRICIA L

ART UNIT	PAPER NUMBER
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1772

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/781,486

Applicant(s)

MCKAY, WILLIAM D.

Examiner

Patricia L. Nordmeyer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/04 and 11/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 8 and 10 - 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Jaffri (USPN 6,014,788).

Jaffri discloses a tape roll for a lint removal assembly (Column 1, lines 4 – 5) comprising a substrate having opposed side edges and first and second major opposed surfaces of the tape (Figures 2 and 3), an adhesive layer carried on the first major surface of the substrate (Column 2, line 27), the substrate wound into a roll with the adhesive layer facing outwardly from the roll (Column 2, lines 28 and 29; Figures 1 – 7), a separable edge extending at least partially through the roll dividing the roll into a plurality of separable sheets (Column 2, lines 29 – 31; Figure 1, #03) and means applied to the substrate on the adhesive layer on at least one of an inner surface an outer surface of the tape roll for separating at least one of the side edges and the separable edge from adjacent portions of the substrate to facilitate separation of an outermost sheet from the roll (Figures 1 – 3, #15; Column 2, lines 44 - 50) as in claims 1, 10 and 12. With regard to claims 2 – 5, the separating means comprise deformations formed in the substrate wherein the deformations are embossings that permanently deform the substrate and extend one of longitudinally continuously and discontinuously along at least one of the side edges and the

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separable edge of the substrate and laterally with respect to at least one of the side edges and separable edges of the substrate (Column 2, lines 29 – 32 and 36 – 53). As in claim 6, the deformations comprise at least one punching formed in the substrate and creating a partial aperture in the substrate, a separated portion of the substrate created by the punching extending away from one major surface of the substrate into contact with an adjacent portion of the substrate (Column 4, lines 6 – 8 and 26 – 31). The separating means also comprises a resilient element carried on the substrate in the form of a longitudinally extend strip formed as one of a continuous and discontinuous strip (Column 4, lines 32 – 33) as in claims 7 and 8. A plurality of pull tabs formed by non-adhesive portions extending substantially laterally between the side edges of the tape roll and on one surface of the substrate, each non-adhesive portion disposed in proximity with the separable edge of the tape roll to define one pull tab on each sheet to facilitate removal on an outermost sheet of the roll and the separating means carried on each of the plurality of the pull tabs (Column 2, lines 43 – 51; Figures 1 – 3, #15) as in claim 11.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jaffri in view McKay (USPN 5,027,465).

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Jaffri discloses the claimed tape with lint roller assembly above except for a non-adhesive portion formed along at least one of the side edges and the separable edge of the substrate and at least a portion of the separating means mounted on the non-adhesive portion.

McKay teaches a tape with lint roller assembly (Column 1, lines 4 and 5) with a non-adhesive portion formed along at least one of the side edges and the separable edge of the substrate and at least a portion of the separating means mounted on the non-adhesive portion (Column 5, lines 28 – 31) for the purpose of maintaining the retentive longitudinal continuous integrity of the adhesive tape roll (Abstract).

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have provided the non-adhesive edges in Jaffri in order to maintain the retentive longitudinal continuous integrity of the adhesive tape roll as taught by McKay.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L. Nordmeyer whose telephone number is (571) 272-1496. The examiner can normally be reached on Mon.-Thurs. from 7:00-4:30 & alternate Fridays.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Y. Pyon can be reached on (571) 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patricia L. Nordmeyer  
Examiner  
Art Unit 1772

*pln*  
pln

  
HAROLD PYON  
SUPERVISORY PATENT EXAMINER  
1772

10/17/05